

Remarks

The Applicants have amended the Specification to correct a number of typographical and grammatical errors. The Specification has also been amended to place it into final form for allowance. Entry into the Official File is respectfully requested.

Claim 1 has been amended in the second to last line to replace "crystal" with "crystal-line" for the sake of consistency. Entry of that minor change into the Official File is respectfully requested.

Claims 1 – 27, 37 and 39 stand rejected under 35 USC §112 as being indefinite. The Applicants note with appreciation the Examiner's helpful comments concerning Claim 1 with respect to a "linear element." The Applicants respectfully submit that this term is quite clear to those skilled in the art even when taken in a vacuum. However, if one skilled in the art consults the Applicants' Specification, it can be seen that this term is easily understood. The Applicants thus invite the Examiner's attention to page 18 of the Applicants' Specification, wherein the linear element description is provided. The term describes a number of physical structures such as fibrils, rods and beads, for example, which collectively form a network. Also, Figs. 1 and 2 show examples of this structure. Moreover, a later substantive rejection refers to Perez, which allegedly contains fibers or fibrils which are said to be the same as the linear elements. It can thus be seen that those skilled in the art can readily discern the meaning of this term. Withdrawal of that portion of the rejection is respectfully requested.

Claim 39 is also specifically addressed in the rejection, particularly with respect to the numerical ratio and the term "beforehand." The Applicants have amended Claim 39 so that it now recites that the polymer blend chips are prepared by mix-kneading 50 – 95 percent by weight of a liquid crystal polyester and 5 – 50 percent by weight of a non-liquid-crystalline

polyester and/or polyphenylene sulfide. Further, Claim 39 has been amended to remove "beforehand." Withdrawal of the rejection is respectfully requested.

Claims 1, 2, 8, 10 – 14, 28 and 29 stand rejected under 35 USC §103 as being obvious over JP '542 (in the form of Hibiya) with evidentiary support from Perez. The Applicants note with appreciation the Examiner's detailed comments hypothetically applying Hibiya against those claims. The Applicants respectfully submit, however, that Hibiya fails to provide disclosure, teachings and/or suggestions that would lead one skilled in the art to the Applicants' claimed subject matter. Reasons are set forth below.

The rejection frankly acknowledges that Hibiya does not disclose the claimed specific gravity and the Applicants' claimed linear elements. The Applicants agree. However, the Applicants respectfully submit that both Perez and Hibiya fail to provide sufficient disclosure that would lead one skilled in the art to those claimed aspects to the degree that they are non-enabling as prior art.

First referring to Perez, the Applicants respectfully submit that, if one skilled in the art assumes *arguendo* that the fibers and fibrils of Perez are illustrative of the Applicants' claimed "linear elements," there is nothing in Perez that would lead one skilled in the art to have a reasonable belief that the fibers and fibrils of Perez would be present in Hibiya. The compositions are completely different from one another and employ different methods of making those compositions and films made from those compositions. As a consequence, it is nothing more than unsupported speculation that the Hibiya films would have fibers or fibrils as disclosed in Perez. Thus, hypothetically applying the fibers and fibrils of Perez to Hibiya is not supported by the disclosures of both of those publications.

In any event, the Applicants respectfully submit that one skilled in the art would not have a reasonable expectation that the layers comprising the laminate of Hibiya would contain the Applicants' claimed linear elements connected to each other to form a network wherein the linear elements contain a liquid crystalline polyester and a non-liquid crystalline polyester and/or polyphenylene sulfide. Moreover, there is nothing that would suggest that the Applicants' claimed specific gravity could be present. This is because there are differences in the ways that the Applicants' laminate films are made relative to Hibiya.

A primary and important difference may be found on page 45 of the Applicants' Specification. The single full paragraph on that page provides a compelling demonstration of why the Applicants' claimed structure is different from that of Hibiya. In particular, the Applicants discovered that the unstretched polyester film should have a type of pre-stretch or slight stretch in the longitudinal direction prior to the conventional longitudinal and transverse stretching. That slight stretch should be done at a draw ratio of about 1.05 to about 1.8. This is different from the more conventional longitudinal stretch at a draw ratio of about 2 to about 5. This so-called slight stretch releases the stress held in the polymer chains and the stress held among the polymer chains to assist in subsequent stretching. This is useful in forming the network structure to provide for the Applicants' claimed linear elements.

Hibiya does not disclose this process or anything like it. Instead, Hibiya is limited to the conventional longitudinal and transverse type stretching. This can be seen, for example, in Column 20 at lines 48 – 55. (The Applicants realize that this is a Comparative Example. However, this portion of the Comparative Example is employed in the inventive examples such as Example 1 that spans Columns 20 and 21.)

In any event, it can be seen that the longitudinal stretch is at a draw ratio of 3.4 at a drawing temperature of 85°C. This is followed by a transverse stretch at a drawing temperature of 110 and a draw ratio of 3.2 times. However, there is no additional stretching that is done. Specifically, there is no pre-stretch or slight stretch as employed by the Applicants. Thus, the advantage that the Applicants found with respect to releasing the stress held in the polymer chains is not disclosed in Hibiya and is also not suggested.

What are the implications of this difference? The implications are that one skilled in the art would reasonably expect that the Applicants' claimed structure is quite different from the Hibiya structure. Moreover, there is no disclosure and no teachings in Hibiya that would reasonably lead one skilled in the art to the Applicants' claimed structure. This is because Hibiya had no appreciation for the Applicants' discovery with respect to the pre-stretch or slight stretch that they employ. Thus, one skilled in the art, when viewing Hibiya, would not be aware of any disclosure that would lead one skilled in the art to the Applicants' claimed structure and such person skilled in the art would not have any disclosure or teachings upon which they could form such a structure even if they so desired to do so. This is because Hibiya does not disclose the Applicants' claimed pre-stretch or slight stretch and Hibiya is therefore non-enabling with respect to providing disclosure as to how to achieve the Applicants' claimed structure. As such, the Applicants respectfully submit that the rejection cannot be maintained. Withdrawal of the rejection is respectfully requested.

Claims 30 – 32 stand rejected under 35 USC §103 over the hypothetical combination of Nakatani with Hibiya. The Applicants respectfully submit that Nakatani failed to provide disclosure, teachings or suggestions that would cure the deficiencies set forth above with respect to Hibiya. Withdrawal of the rejection is respectfully requested.

Claims 6 and 33 – 39 stand rejected under 35 USC §103 over the hypothetical combination of Nakamura with Hibiya. The Applicants respectfully submit that Nakamura failed to provide disclosure, teachings or suggestions that would cure the deficiencies set forth above with respect to Hibiya. Withdrawal of the rejection is respectfully requested.

In light of the foregoing, the Applicants respectfully submit that the entire Application is now in condition for allowance, which is respectfully requested.

Respectfully submitted,

  
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